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UNCLAS LA PAZ 001877

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E.O. 12958: N/A

TAGS: PGOV PREL ECON BL

SUBJECT: BOLIVIA'S EASTERN DEPARTMENTS DEFINE AUTONOMY

Summary

¶1. (SBU) To celebrate the one year anniversary of their vote in favor of "autonomy" large crowds gathered in the department capitals of Bolivia's four eastern departments on July 2. Each of the four departments also unveiled their unilaterally formulated "Autonomy Statutes." The statutes, essentially draft constitutions, if enacted would give the departmental governments vastly expanded powers, many of which are currently handled by the central government. The most controversial feature in the Santa Cruz statute would grant the department government the power to regulate internal migration, a proposal that received much GOB criticism. In a clear attempt to defuse the controversy that has pitted departmental autonomy against indigenous autonomy, Santa Cruz Prefect Costas and the leaders of five indigenous groups signed a "social and political pact" defending both forms of autonomy. Until July 2 the eastern departments had never defined their vision for autonomy; the Movement Towards Socialism (MAS) still has not. Now Constituent Assembly delegates and the Bolivian people have the opportunity to debate the two competing visions on autonomy, one which is clearly defined, the other of which remains nebulous. End Summary.

Departments Declare Autonomy

¶2. (SBU) To celebrate the one year anniversary of their vote in favor of "autonomy" large crowds gathered in the department capitals of Bolivia's four eastern departments -- Beni, Pando, Santa Cruz and Tarija -- on July 2. Santa Cruz's rally overshadowed those of the smaller eastern departments. According to Santa Cruz civic committee president Branko Marinkovic Jovicevic approximately 60,000 people gathered in Santa Cruz (we estimate fewer, perhaps 40,000). At the rally, Department Prefect Ruben Costas unveiled Santa Cruz's Autonomy Statute. (Note: The other three departments also presented their autonomy statutes, similar to the Santa Cruz statute. End Note). Referring to the statute, Santa Cruz Provisional Autonomic Assembly

President (and PODEMOS deputy), Carlos Pablo Klinksy Fernandez declared "Santa Cruz is autonomous by the decision of its people and this statute is a fundamental step in our process of self government."

The Statutes (Constitutions)

13. (SBU) The statutes, essentially draft constitutions, if enacted would provide the departmental governments vastly expanded powers, many of which are currently handled by the central government. The Santa Cruz statute calls for a directly elected executive and legislative assembly. Under current Bolivian law there is no legislative branch at the departmental level. The statute's drafters envision a departmental judicial system, with locally appointed judges and prosecutors. The Santa Cruz assembly would elect a departmental human rights ombudsman, as opposed to current practice in which the national human rights ombudsman designates a departmental representative. Below are a few of the powers currently handled by the central government that would fall under the departmental government's control:

- Passage and enforcement of departmental legislation;
- Regulation of internal borders;
- Management of the educational system;
- Establishment of budgets;
- The raising of taxes and contracting of public debt;
- The issuance of concessions, licenses and permits; and,
- Management of the police force.

Vice Minister for Government Cooperation Hector Arce was the first GOB official to officially respond to the statute calling it "seditious" and an attempt to break the nation's "unity."

Controlling Internal Migration

14. (SBU) The most controversial feature in the statute falls under article 8, attribution 21 which states the departmental government will have the exclusive right to "Regulate internal migration" GOB officials have called the statement discriminatory, designed to block "collas" (people from the altiplano) from entering the department, going so far as to state that Santa Cruz will require passports of people traveling to the department. Juan Carlos Urenda, an advisor to Prefect Ruben Costas, responded to the criticism stating, "We are not talking about individual restrictions such as passports, which the government has ... led you to believe." Yet Urenda fed into the GOB's arguments by explaining the proposal simply attempts to prevent a recurrence of the massive 1950s migration from the west (the altiplano) to Santa Cruz.

15. (SBU) Branko Marinkovic, in a July 3 conversation with Emboff, acknowledged the migration statement was poorly drafted. His explanation that the proposal's intent was to merely give the department the ability to prevent migrants from entering Santa Cruz's many "protected areas, parks and indigenous territories" was weak. A local media contact (from the UNITEL network), who met with Emboff on July 3, provided a more convincing explanation. He explained that Santa Cruz city has grown by 700,000 inhabitants since 2001, exhausting the city's educational, health and utility systems. The proposal, he argued, aims to prevent future shortages in critical services. Klinksy publicly elaborated on this argument by stating the GOB has failed to transfer adequate funding (from hydrocarbon tax revenues) to Santa Cruz to cover the many recent migrants to the department. (Note: Other Crucenos have privately told Emboffs that the real motivation for controlling migration is that poor migrants tend to vote MAS, and in marginal electoral districts continued migration is bolstering support for President Morales. End Note).

Pact with Indigenous Leaders

¶ 6. (SBU) In a clear attempt to defuse the controversy that has pitted departmental autonomy against indigenous autonomy, Prefect Costas and the leaders of five indigenous groups (Guaranis, Guarayos, Ayoreos, Chiquitanos and Mojenos -- signed a "social and political pact" at the Santa Cruz rally.

The pact promises to defend the rights and the communitarian territories (TCOs) of indigenous peoples within Santa Cruz while recognizing both departmental and indigenous autonomy. The pact also calls for the establishment of a fund to promote indigenous issues. Guarani leader Carmelo Justiniano, the most outspoken indigenous leader at the rally, stated his people would defend departmental autonomy with "bows and arrows." Nonetheless, the Confederation of Indigenous Peoples of Bolivia (CIDOB), a well-known umbrella organization that represents the thirty-four lowland indigenous groups, denounced the five leaders stating that they did not represent their respective indigenous groups and that they had been "expelled from the CIDOB leadership for irregularities." A CIDOB leader accused Justiniano and the other indigenous leaders of being on the payroll of the prefect and agro-business interests.

Comment

¶ 7. (SBU) Until July 2 the eastern departments had never defined their vision for autonomy; President Morales and the MAS still have not. While there is debate as to whether the statutes are in final form or simply initial drafts, they represent the first clear definition of departmental autonomy and will serve as templates for the opposition's autonomy proposal before the Constituent Assembly. Now Constituent Assembly delegates and the Bolivian people will have the opportunity to debate two competing visions on autonomy, one which is clearly defined, the other of which remains nebulous. End Comment.

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